

UNITED STATES DISTRICT COURT
for the
EASTERN DISTRICT OF NORTH CAROLINA

U.S.A. vs. Jeffrey McKoy

Docket No. 5:06-CR-56-1BO

Petition for Action on Supervised Release

COMES NOW Marla Bianco, U.S. Probation Officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Jeffrey Jerome McKoy, who, upon an earlier plea of guilty to 21 U.S.C. §846, Conspiracy to Distribute and Possess With the Intent to Distribute 500 Grams or More of Cocaine, 21 U.S.C. §841(a)(1), Distribute and Possess With the Intent to Distribute a Quantity of Cocaine, 21 U.S.C. 841(a)(1), Distribute a Quantity of Cocaine and 18 U.S.C. §§922(g)(1) and 924 Possession of a Firearm by a Convicted Felon, was sentenced by the Honorable James C. Fox, Senior U.S. District Judge, on September 19, 2006, to the custody of the Bureau of Prisons for a term of 96 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for a period of 60 months. Jeffrey Jerome McKoy was released from custody on February 25, 2013, at which time the term of supervised release commenced. On March 22, 2016, as a result of the defendant committing the offense of Driving While Impaired (16 CR 053553) in Cumberland County, North Carolina, the Court modified the conditions of supervision to include 30 days of home detention with electronic monitoring.

On October 31, 2016, as a result of the defendant committing the offense of Driving While Impaired (16 CR 063090) in Cumberland County, North Carolina, the Court modified the conditions of supervision to include abstaining from all alcohol use, 120 consecutive days of curfew on Location Monitoring and Remote Alcohol Monitoring Program.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS: On May 15, 2017, in Cumberland County, North Carolina, the defendant was charged with Driving While License Revoked and Operating Vehicle with No Insurance. The defendant failed to notify the probation officer within 72 hours of having contact with law enforcement. This officer was made aware of new charges by his treatment provider at monthly staffing on May 31, 2017. When the defendant was confronted about the new charges, he admitted to driving as he was only trying to get to work. The defendant was verbally admonished for making the choice to continue to drive without a valid license and discussed alternatives to get to work without driving himself. As a punitive sanction for the new Driving While License Revoked and Operating Vehicle with No Insurance charges we are recommending a modification to include 30 days curfew with electronic monitoring.

The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

PRAYING THAT THE COURT WILL ORDER that supervised release be modified as follows:

1. The defendant shall adhere to a curfew as directed by the probation officer for a period not to exceed 30 consecutive days. The defendant is restricted to residence during the curfew hours. The defendant shall submit to the following Location Monitoring: Radio Frequency monitoring and abide by all program requirements, instructions and procedures provided by the supervising officer.

Except as herein modified, the judgment shall remain in full force and effect.

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Reviewed and approved,

I declare under penalty of perjury that the foregoing
is true and correct.

/s/ Eddie J. Smith
Eddie J. Smith
Supervising U.S. Probation Officer

/s/ Marla Bianco
Marla Bianco
U.S. Probation Officer
150 Rowan Street, Suite 110
Fayetteville, NC 28301-5730
Phone: 910.354.2535
Executed On: June 21, 2017

ORDER OF THE COURT

Considered and ordered this 22 day of June, 2017, and ordered filed and
made a part of the records in the above case.

Terrence W. Boyle
Terrence W. Boyle
U.S. District Judge